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MEMO ENDORSED



DOCUMENT ELECTRONICALLY FILED DOC#:

DATE FILED: Feb. 27, 2023

THE CITY OF NEW YORK

LAW DEPARTMENT

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February 23, 2023

By ECF

HON. SYLVIA O. HINDS-RADIX

Corporation Counsel

Honorable Andrew L. Carter, Jr. United States District Judge Southern District of New York 40 Foley Square, Room 435 New York, New York 10007

Re: Michael Gorga, et al. v. City of New York, 22 Civ. 08638 (ALC)

Dear Judge Carter:

I am an Assistant Corporation Counsel in the office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for the defendant, City of New York ("the City") in the above-referenced action. I write to seek an extension of the current deadlines set for the City's proposed motion to dismiss. This is the second request for such relief and it is made on consent of counsel for plaintiffs.

Under the current schedule, the City's motion to dismiss is due on February 27, 2023; plaintiffs' opposition is due March 20, 2023; and the City's reply set for March 27, 2023. *See* ECF Dkt. No. 25. The parties request a 30-day extension of this schedule as the parties continue to negotiate a potential resolution in advance of mediation, which is currently scheduled for March 16, 2023. *See* Minute Entry Dated February 23, 2023. The parties therefore still wish to conserve the resources and additional fees necessitated by motion practice, the need for which may be obviated by settlement. Thus, the parties request the following briefing schedule: the City's motion due on or before March 28, 2023; plaintiffs' opposition due on April 18, 2023; and the City's reply set for April 25, 2023.

Thank you for your consideration of this request.

HON, ANDREW L. CARTER, JR. UNITED STATES DISTRICT JUDGE

Feb. 27, 2023

Respectfully submitted,

/s/Nicholas Schaefer

Nicholas Schaefer Assistant Corporation Counsel

To: Attorneys for All Parties (By ECF)